

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Gordon & Rees LLP, 101 W. Broadway, Suite 1600, San Diego, CA 92101. On February 23, 2010, I served the following documents:

DEFENDANT SCRIBD, INC.'S EX PARTE MOTION FOR LEAVE TO FILE RESPONSE TO PLAINTIFF'S SURREPLY TO MOTION TO DISMISS and accompanying supporting documents

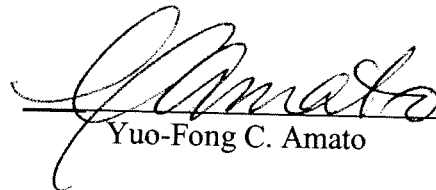
- ☒ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Diego, addressed as set forth below.
- ☐ by electronic service by causing the document to be sent to the person at the electronic notification ("e-mail") address listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Kurt W. Hallock
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 23, 2010, at San Diego, California.


Yuo-Fong C. Amato

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